

# COMMUNICATIONS ADVISORY COUNSEL LLC

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April 29, 2009

## ***Via electronic filing***

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Cable & Communications Corporation  
CC Docket No. 94-102  
May 1, 2009 Report

Dear Ms. Dortch:

Pursuant to the Commission's *Order*,<sup>1</sup> Cable & Communications Corporation ("C&CC") hereby submits its final report<sup>2</sup> on progress in achieving the goal of 95% penetration of ALI-capable handsets among its subscribers.

## **Summary**

As reported,<sup>3</sup> C&CC achieved the 95% penetration benchmark in the first quarter of 2008. Since that time, the Company has increased penetration and expanded its services and service territory. The Company successfully initiated Phase I/Phase II service in Miles City (Custer County) and Garfield County on September 24, 2008; in Fallon, Carter, Prairie and Wibaux Counties on December 19, 2008; in Fergus and Petroleum Counties on January 5, 2009; in Glendive and Dawson County on January 15, 2009; and in McCone County on February 19, 2009. The Company continues to maintain regular communications with public safety officials in the relevant jurisdictions.

## **Report**

Pursuant to paragraph 15 of the *Order*, C&CC provides the following information:

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<sup>1</sup> *In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, Petition for Extension of Waiver by Cable & Communications Corporation, *Order*, DA 07-4394 (rel. Oct. 26, 2007) ("*Order*"). The *Order* granted Cable & Communications Corporation ("C&CC") an extension through April 26, 2008 within which to meet the requirement of Section 20.18(g)(1)(v) that 95% of the handsets used by its subscribers be location-capable, subject to specific conditions and reporting requirements.

<sup>2</sup> *Id.* at ¶ 15.

<sup>3</sup> See C&CC Compliance Report, filed March 27, 2008, reporting achieving a 95.19% penetration rate on March 21, 2008.

**(1) The number and status of Phase II requests from PSAPs (including those requests it may consider invalid):**

Other than the Phase I/Phase II requests reported previously (including the request from Roosevelt County, an area not currently served by C&CC), C&CC has received only two additional Phase II requests since the filing of its February 2009 report, both from jurisdictions outside C&CC's current service territory. The Phillips County PSAP and the Wheatland/Golden Valley PSAP have been informed that C&CC does not currently operate any wireless services in their respective jurisdictions. C&CC proposed Phase I/Phase II implementation within six months of service activation within the specific county. The State 911 office was also informed of the status of service availability in these jurisdictions.

**(2) The estimated dates on which Phase II service will be available to PSAPs served by its network:**

<u>PSAP</u>	<u>Anticipated PSAP Implementation Date</u>
Miles City, MT Police Dept.	Phase I /Phase II implemented on September 24, 2008
Garfield County, MT Sheriff's Office	Phase I /Phase II implemented on September 24, 2008
PSAP for Fallon, Carter, Prairie, and Wibaux Counties, MT	Phase I/Phase II implemented on December 19, 2008
Glendive, MT Police Department	Phase I/Phase II implemented on January 15, 2009
Dawson County	Phase I/Phase II implemented on January 15, 2009
Petroleum County, MT	Phase I/Phase II implemented on January 5, 2009
Slope and Bowman Counties, ND	C&CC is Phase I and Phase II capable; no request has been received from PSAP
McCone County, MT	Phase I/Phase II implemented February 19, 2009
Powder River County, MT	PSAP has no plans to make Phase I or Phase II request
Richland County, MT	PSAP has no plans to make Phase I or Phase II request prior to late summer, 2009

**(2) The estimated dates on which Phase II service will be available to PSAPs served by its network (cont'd):**

PSAP

Anticipated PSAP Implementation Date

Rosebud County, MT

PSAP anticipates it is six months from Phase I and Phase II readiness

Musselshell County, MT

PSAP anticipates issuance of Phase I and Phase II request soon

Fergus County, MT

Phase I/Phase II implemented on January 5, 2009

**(3) The status of its coordination efforts with PSAPs for alternative 95% handset penetration dates**

All PSAPs have been informed that C&CC has met the 95% benchmark, and is working toward meeting Phase I/Phase II implementation schedules. Each PSAP will be served with a copy of this filing.

**(4) Efforts to encourage customers to upgrade to location-capable handsets:**

C&CC continues to provide information to subscribers regarding the benefits of owning a digital phone on its company website. The Company has also made efforts in 2009 to contact all remaining analog-only customers and encourage them to upgrade to a digital handset.

**(5) Percentage of customers with location-capable phones:**

C&CC reports that, as of April 15, 2009, approximately 98.58% of the handsets used by its customers were ALI-compliant.

**(6) Status in achieving compliance and whether it is on schedule to meet the revised deadline**

C&CC met the 95% penetration rate on March 21, 2008.

Please direct any questions or correspondence concerning this matter to this office.

Respectfully submitted,

  
Sylvia Lesse

### **DECLARATION OF BILL WADE**

I, Bill Wade, General Manager of Cable & Communications Corporation, do hereby declare under penalty of perjury that I have read the foregoing "May 1, 2009 Report" and that the facts stated therein are true and correct, to the best of my knowledge, information and belief.

4/29/09

Date



Bill Wade

### Certificate of Service

I, Sylvia Lesse, of Communications Advisory Counsel, LLC, hereby certify that on this 29th day of April, 2009, I caused to be delivered, via first-class US mail, postage prepaid, a copy of the foregoing "May 1, 2009 Report" on the following:

Chief Kevin Krausz  
Miles City Police Dept.  
PSAP for Custer Co & Garfield Co, Montana  
2420 Bridge Street  
Miles City MT 59301

Sheriff Kelly Pierson  
Garfield County Sheriff's Office  
PO Box 103  
Jordan MT 59337

Chief Alan Michaels  
Glendive Police Department  
PSAP for Dawson Co, MT  
PO Box 1372  
Glendive MT 59330

Chuck Lee  
PSAP for Fallon, Carter, Prairie & Wibaux Co's, MT  
PO Box 1061  
Baker MT 59313

Sheriff Randy Allies  
Rosebud Co Sheriff's Office  
PO Box 85, 180 S 13<sup>th</sup> St  
Forsyth MT 59327

Sheriff Rusty Jardee  
Carter County Sheriff  
PO Box 323  
Ekalaka MT 59324

Russ Lindblom  
North Dakota 911 Manager  
PO Box 877  
Bismarck, ND 58502-0877

Sheriff Tom Killham  
Fergus County PSAP  
712 West Main  
Lewistown MT 59457

Jeff Cohen, Acting Deputy Bureau Chief\*  
Public Safety & Homeland Security Bureau  
Federal Communications Commission  
445 Twelfth Street SW  
Washington DC 20554

David Furth, Acting Chief\*  
Public Safety & Homeland Security Bureau  
Federal Communications Commission  
445 Twelfth Street SW  
Washington, DC 20554

Sheriff William Klunder  
Prairie County Sheriff's Office  
PO Box 126  
Terry MT 59349

Sheriff Darby S. Harrington  
Wibaux County Sheriff's Office  
PO Box 322  
Wibaux MT 59353

Sheriff Dave Harris  
McCone County Sheriff's Office  
PSAP for McCone County, Montana  
905 B Avenue, PO Box 201  
Circle, MT 59215

Sheriff John Blain  
Powder Riv. Co. Sheriff's Office  
PSAP for Powder River Co., MT  
Box 71 Courthouse Square  
Broadus MT 59317

Sheriff Brad Baisch  
Richland County Sheriff's Office  
PSAP for Richland Co., MT  
110 2<sup>nd</sup> Ave NW  
Sidney, MT 59270

Lisa Solf  
Petroleum County PSAP  
PO Box 226  
Winnett, MT 59087

Ron Solberg  
911 Director  
Musselshell County PSAP  
704 First Street East  
Roundup MT 59072

Vickie Delger  
Roosevelt County Commissioner  
9-1-1 Advisory Board  
400 2<sup>nd</sup> Avenue South  
Wolf Point MT 59201

Karla Germann  
Slope & Bowman Co's ND  
104 1st St NW, Ste 4  
Bowman ND 58623

Chief Kevin Myhre  
PSAP Administrator  
City of Lewistown  
305 Watson  
Lewistown, MT 59457

\* Via electronic mail

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Bobbie Hansen  
PSAP Coordinator  
Wheatland/Golden Valley County 911  
PO Box 757  
Harlowton, MT 59036-0757

Mr. Tom Miller  
Sheriff of Phillips County  
PO Box 1090  
Malta, MT 59538

  
Sylvia Lesse

\* Via electronic mail